

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

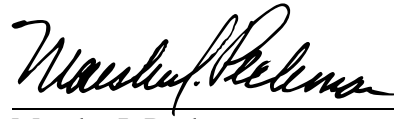
SHAUN HUTTAR,)	CASE NO. C09-0427-MJP
)	
Plaintiff,)	
)	
v.)	ORDER OF REMAND
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	
_____)	

The Court has reviewed the entire record, including the Administrative Record, the memoranda of the parties, the Report and Recommendation of United States Magistrate Judge Mary Alice Theiler, Plaintiff's objections to the Report and Recommendation (Dkt. No. 27), and Defendant's response to Plaintiff's objections (Dkt. No. 28). The Court finds no error in the Report and Recommendation. Having considered Plaintiff's objections, the Court finds that the adverse credibility determination is supported by sufficient explanation and evidence in the record. The ALJ's rejection of Dr. Gustafson's opinion was not erroneous. See Andrews v. Shalala, 53 F.3d 1035, 1043 (9th Cir. 1995). The Court therefore ORDERS:

- (1) The Court adopts the Report and Recommendation;
- (2) The decision of the Administrative Law Judge is AFFIRMED in part, and REVERSED and REMANDED in part for further administrative proceedings;
- and

01 (3) The Clerk shall direct copies of this Order to all counsel and to Judge Theiler.

02 DATED this 15th day of March, 2010.

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04 Marsha J. Pechman
05 United States District Judge
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